

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2007 AUG -2 P 12:38

U.S. DISTRICT COURT
DISTRICT OF MASS.

JOHN G. PEDICINI,

Plaintiff,

-vs-

UNITED STATES OF AMERICA
ET AL.,

Defendants.

CIVIL ACTION NO. 04-12395-JLT

PLAINTIFF'S MOTION IN LIMINE ON THE ISSUE OF PLAINTIFF'S
CONDUCT AT MEETINGS

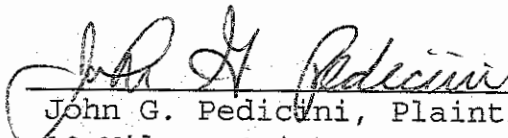
Plaintiff, John G. Pedicini, hereby moves this Court in Limine to exclude testimony, live or by deposition, on the issue of Plaintiff's conduct at any meetings. Defendants have raised this issue by requesting pp. 14-15 of the deposition of John Ghiorzi be included as evidence at trial. Plaintiff objects to the issue of Plaintiff's conduct at any meeting. Defendants allege that there is something wrong with Plaintiff's conduct. Plaintiff categorically denies this allegation. More importantly, Plaintiff's conduct is not an issue in this case. It is highly prejudicial, irrelevant, and immaterial to the

issues remaining at trial. Furthermore, Defendants have admitted in their pleadings that Plaintiff's job performance has been rated "superior". See Defendants' Answer To Plaintiff's Amended Complaint ¶¶45,80. This is nothing more than an attempt by Defendants to "color" the jury's perception of Plaintiff's character at the 11th hour of this case and is also objectionable under Federal Rules of Evidence Rule 404.

CONCLUSION

Therefore, Plaintiff respectfully requests that this Court exclude the issue of Plaintiff's conduct at meetings from all testimony, whether live or by deposition, as evidence at trial.

Respectfully submitted,

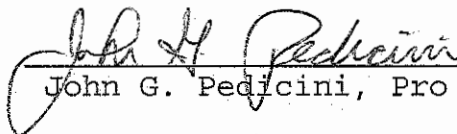


John G. Pedicini, Plaintiff Pro Se
10 Milano Drive
Saugus, MA 01906
781-248-1385

8/2/07
Date

CERTIFICATION UNDER L.R. 7.1

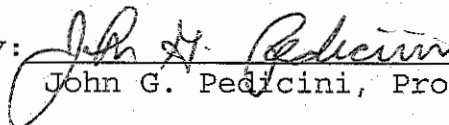
I certify that in accordance with Local Rule 7.1, I have conferred with Defendants' counsel and have attempted in good faith to resolve the issues addressed in this Motion on August 2, 2007 and that we were unable to resolve the issues set forth in this motion.


John G. Pedicini, Pro Se

8/2/07
Date

CERTIFICATION OF SERVICE

Pursuant to L.R.5.2(b), I hereby certify that a true copy of the above document was served on the Defendants on August 2, 2007, via U.S. Government email system to: Gina Walcott-Torres, Assistant U.S. Attorney, Moakley Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

By: 
John G. Pedicini, Pro Se

8/2/07
Date